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PATENT
85CF-00106
#4

IN THE UNITED STATES OFFICE OF PATENTS AND TRADEMARKS

Applicant: Messmer et al.

Serial Number: 09/737,038

Filed: December 14, 2000

For: METHODS AND APPARATUS
FOR SIMULATING COMPETITIVE
BIDDING YIELD

Group Art Unit: 2164

Examiner:

CERTIFICATE OF MAILING

I certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Attention: Box Missing Parts, Washington, D.C. 20231, on APR 03, 2001.

Robert E. Slenker
Robert E. Slenker, Reg. No. 45,112

RESPONSE TO NOTICE TO FILE MISSING PARTS

Attention: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

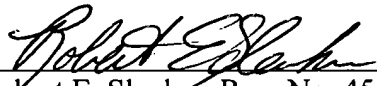
In response to the Notice to File Missing Parts of Nonprovisional Application dated February 6, 2001 (copy enclosed), enclosed are fourteen (14) sheets of formal drawings. Also enclosed is the Part 2 - copy to be returned with response of the Notice to File Missing Parts of Application.

A copy of a Preliminary Amendment and Request For Approval Of Drawing Changes, filed April 03, 2001, are enclosed herewith. The Preliminary Amendment corrects an original, informal drawing submitted with the patent application which was marked as "Figure 9". The correct marking for the drawing, as described in the Preliminary Amendment is "FIG. 14". The formal drawings submitted herein incorporate the change of the Preliminary Amendment.

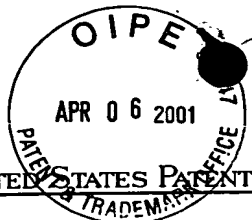
A signed inventor's declaration, including any necessary extension fees, will be submitted at a later date to complete Applicant's Response to the Missing Parts notification of February 02, 2001.

If any additional fee is due, please charge Deposit Account No. 01-2384. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Robert E. Slenker, Reg. No. 45,112
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/737,038	12/14/2000	Richard P. Messmer	85CF-00106

CONFIRMATION NO. 7863

FORMALITIES LETTER



OC00000005739623

John S. Beulick
Armstrong Teasdale LLP
Suite 2600
One Metropolitan Sq.
St. Louis, MO 63102

Date Mailed: 02/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) 14 described in the specification.

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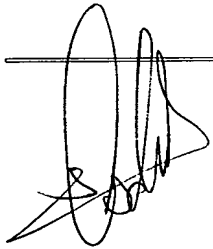
11 FEB 2001 130.00 CH

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.



*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



#4

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Robert E. Slenker
Reg. No. 45,112

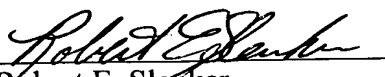
REQUEST FOR APPROVAL OF DRAWING CHANGES

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Submitted herewith is a copy of drawing sheet 9 in the above referenced patent application showing proposed drawing changes. Specifically, the legend "Figure 9" has been replaced with the legend "FIG. 14".

Applicants respectfully request approval of the indicated drawing changes.

Respectfully Submitted,


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